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OFFICE OF PETITIONS

In re Application of :
Sithya S. Khieu et al :
Application No. 10/039,957 : DECISION GRANTING PETITION
Filed: December 31, 2001 : UNDER 37 CFR 1.137(b)
Attorney Docket No. 53325US002 :

This is a decision on the petition under 37 CFR 1.137(b), filed May 10, 2006, to revive the above-identified application.


The petition is **GRANTED**.

This application became abandoned because the appeal brief filed on September 30, 2005 was directed to an unentered amendment. In this regard, the brief must have been directed to the claims as examined in the final Office action of May 23, 2005, or file a request for continued examination to amend the claims in the manner desired. A Notice of Abandonment was mailed on April 18, 2006.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply (request for continued examination, \$790 filing fee therefor, and submission (amendment) as required by 37 CFR 1.114), (2) the \$1,500 petition fee, and (3) the required statement of unintentional delay have been received. Accordingly, the reply to continue prosecution in this application is accepted as having been unintentionally delayed.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3218.

This matter is being referred to Technology Center AU 3671 for processing of the request for continued examination and for appropriate consideration of the amendment filed May 10, 2006.


Frances Hicks
Petitions Examiner
Office of Petitions